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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 SARA SANGUINETTI, individually and on
behalf of all others similarly situated;

Case No.: 2:21-cv-01768-RFB-DJA

11 Plaintiffs,

**STIPULATION AND ORDER TO
CONTINUE JUNE 7, 2022, HEARING
[ECF NO. 41]**

12 vs.

13 NEVADA RESTAURANT SERVICES,
INC.,

[FIRST REQUEST]

14 Defendant.

15 RAYMOND D. SPEIGHT, individually and
on behalf of all others similarly situated;

Consolidated With: 2:21-cv-01780-RFB-EJY

16 Plaintiffs,

**STIPULATION AND ORDER TO
VACATE JUNE 7, 2022, HEARING [ECF
NO. 26]**

17 vs.

18 NEVADA RESTAURANT SERVICES,
INC.,

[FIRST REQUEST]

19 Defendant.

20 Defendant Nevada Restaurant Services, Inc. (“Defendant”), and Plaintiffs Sara
21 Sanguinetti, Raymond D. Speight, David Dietzel, Patricia Saavedra, and Nina S. Kuhlmann
22 (“Plaintiffs”), by and through their counsel of record, hereby stipulate and agree as follows:

1 Case No.: 2:21-cv-01768-RFB-DJA:

2 1. On October 26, 2021, Defendant filed a Motion to Dismiss Plaintiff
3 Sanguinetti's class action lawsuit. ECF No. 12. On November 1, 2021, the parties stipulated to
4 consolidate this action with Case No. 2:21-cv-01780-RFB-EJY, which this Court granted. ECF
5 Nos. 13 & 14.

6 2. On November 16, 2021, Plaintiffs filed an Amended Consolidated Class Action
7 Complaint. ECF No. 20. On December 21, 2021, Defendant filed a Motion to Dismiss
8 Plaintiffs' Consolidated Class Action Complaint (ECF Nos. 26 & 29), followed by Plaintiffs'
9 Opposition (ECF No. 30), and Defendant's Reply (ECF No. 32). Defendant also filed a Motion
10 to Exceed Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class
11 Action Complaint. ECF No. 31.

12 3. On May 27, 2022, the Court denied Defendant's original Motion to Dismiss
13 (ECF No. 12) without prejudice as moot, and set a hearing on Defendant's Motion to Dismiss
14 Amended Consolidated Class Action Complaint (ECF Nos. 26 & 29) and Motion to Exceed
15 Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class Action
16 Complaint (ECF No. 31), for June 7, 2022, at 2:00 p.m., via zoom. ECF No. 41.

17 4. The parties agree to continue the hearing on Defendant's Motions (ECF Nos. 26,
18 29, & 31) because Defendant's counsel who will be arguing the motions is recovering from the
19 Covid-19 illness.

20 5. Subject to this Court's availability, the parties have conferred as to their
21 availability and request that the hearing on Defendant's Motions (ECF Nos. 26, 29, & 31) be
22 continued to June 30, 2022, after 10:00 a.m., or July 14, 2022, or to another date after June 20,
23 2022, that is convenient for the Court.

24 Case No.: 2:21-cv-01780-RFB-EJY:

25 6. On October 26, 2021, Defendant filed a Motion to Dismiss Plaintiff Speight's
26 class action lawsuit. ECF No. 17. On November 1, 2021, the parties stipulated to consolidate
27

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1 this action with Case No. 2:21-cv-01768-RFB-DJA, the first-filed case, which this Court
 2 granted. ECF Nos. 18 & 21.

3 7. Shortly thereafter, as mentioned above, Plaintiffs (including Speight) filed an
 4 Amended Consolidated Class Action Complaint under the lead Case No. 2:21-cv-01768-RFB-
 5 DJA, which was followed by Defendant's Motion to Dismiss Amended Consolidated Class
 6 Action Complaint. *See ¶ 2 above.* Thus, Defendant's original Motion to Dismiss Plaintiff
 7 Speight's class action lawsuit (ECF No. 17) is also moot.

8 8. On May 27, 2022, the Court also set a hearing on Defendant's Motion to Dismiss
 9 Plaintiff Speight's class action lawsuit (ECF No. 17) for June 7, 2022, at 2:00 p.m., via zoom.
 10 ECF No. 26. Because Defendant's Motion at ECF No. 17 has been superseded by Defendant's
 11 Motion to Dismiss Amended Consolidated Class Action Complaint filed in the lead case, the
 12 parties agree to vacate the hearing on Defendant's Motion at ECF No. 17.

13 Dated June 4, 2022.

Dated June 4, 2022.

14 KEMP JONES, LLP

15 */s/ Mona Kaveh*

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ORDER

Case No.: 2:21-cv-01768-RFB-DJA:

Based upon the foregoing Stipulation and Order to Continue June 7, 2022, Hearing [ECF No. 41], the June 7, 2022, hearing on Defendant's Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint (ECF Nos. 26 & 29), and Defendant's Motion to Exceed Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class Action Complaint (ECF No. 31) is vacated and rescheduled to the 30th day of June, 2022, at 8:30 a.m. by videoconference.

Case No.: 2:21-cv-01780-RFB-EJY:

18 Based upon the foregoing Stipulation and Order to Vacate June 7, 2022, Hearing [ECF
19 No. 26], the June 7, 2022, hearing on Defendant's Motion to Dismiss Plaintiff Speight's class
20 action lawsuit (ECF No. 17) is vacated.

IT IS SO ORDERED:

**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**

DATED: June 6, 2022